

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62178 of 2025**

Arising Out of PS. Case No.-318 Year-2025 Thana- HARSIDHI District-
East Champaran

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Lalal Chaudhary @ Lalan Kumar @ Lalan Chaudhary Son of Late Sonalal Chaudhary R/o Village - Mathlohiyar Godhi Tola, Ward No 12, PS - Harsidhi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Parvin Kumar, Adv.

For the Opposite Party/s : Mr.Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and the

learned Additional Public Prosecutor for the State.

2. This application for grant of anticipatory bail arises out of Harsidhi P.S. Case No. 318 of 2025 dated 26.05.2025, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act (hereinafter referred to as 'the Act').

3. According to the prosecution case, 1.620 liters of english wine has been recovered from the house of the petitioner. It is also alleged that 540 ML English wine and 720 ML English wine has been recovered from co-accused Lalbihari Sahani and Motilal Chaudhary, respectively.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. He further submits that according to the seizure list, it is apparent that the alleged recovery of liquor is made from house of the petitioner which is a joint family property. Moreover, the hut from which liquor has been recovered is situated outside the residential house of the petitioner. The petitioner has no concern with the alleged recovery of liquor. No illicit liquor has been recovered from the conscious possession of the petitioner.

5. Learned A.P.P. for the State has opposed the prayer for bail and submits that the petitioner has got one more case other than the present one.

6. Regard being had to the submission made by the parties and taking into consideration the fact that in the seizure list at serial no.3, place of recovery does not disclose the house of the petitioner, I am inclined to grant the privilege of anticipatory bail to the petitioner.

7. This application is, accordingly, allowed.

8. Let the petitioner, above named, in the event of his arrest or surrender before the court below within four



weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Court No.1, East Champaran, Motihari in connection with Harsidhi P.S. Case No. 318 of 2025, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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